

**RECEIVED**  
**CENTRAL FAX CENTER****JUN 20 2005****FOLEY & LARDNER LLP**  
**ATTORNEYS AT LAW**  
11250 EL CAMINO REAL, SUITE 200  
SAN DIEGO, CA 92130  
P.O. BOX 80278  
SAN DIEGO, CA 92138-0278  
TELEPHONE: 858.847.6700  
FACSIMILE: 858.792.6773  
WWW.FOLEY.COM**FACSIMILE TRANSMISSION****Total # of Pages 9 (Including this page)**

TO:	PHONE #:	FAX #:
Examiner Sharmila S. Gollamudi Group Art Unit 1615 United States Patent and Trademark Office	(571) 272-0602	(703) 872-9306

**From :** Michael F. Hay  
**Email Address :** mhay@foley.com  
**Sender's Direct Dial :** 858.847.6737  
**Date :** June 20, 2005  
**Client/Matter No :** 071243-0218  
**User ID No :** 9080

**MESSAGE:****RECEIVED**  
**OIPE/IAP****Re:** U.S. Patent Application No. 09/628,387**JUN 22 2005****Following is:**

- 1) Request for Continued Examination (RCE) Transmittal (*in duplicate*).

If there are any problems with this transmission or if you have not received all of the pages, please call 858.847.6700.

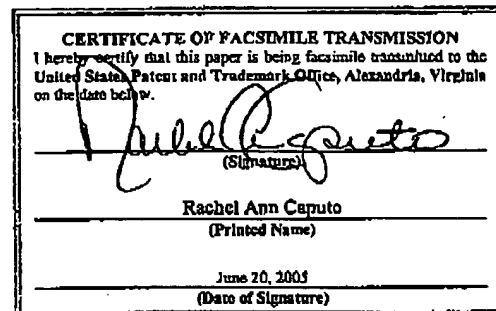
<b>Operator:</b>	<b>Time Sent:</b>	<b>Return Original To:</b> Rachel Ann Caputo
------------------	-------------------	---

**CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.**

PATENT  
Attorney Docket No.: AB1150-18  
(071243-0218)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Soon-Shiong and Desai  
Title: METHODS AND FORMULATIONS OF TAXANES  
Appl. No.: 09/628,387  
Confirmation No.: 5713  
Appl. Filing Date: August 1, 2000  
Examiner: Kishore, Gollamudi S.  
Art Unit: 1615



**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of a civil action under 35 U.S.C. § 145 or § 146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. § 1.114: (check items that apply)

a. Previously submitted:

06/22/2005 SSITHIB1 00000037 500872 09628387  
01-FC-1801 790-00-DA

Void date: 06/22/2005 MBIZUNES  
06/22/2005 SSITHIB1 00000037 500872 09628387  
01-FC-1801 790-00-CR

In re application of  
Desai and Soon-Shiong  
Application No.: 09/628,387  
Page 2 of 4

Atty. Dkt. No. ABI1150-18  
(071243-0218)

- ☒ Please enter and consider the amendment and/or reply previously filed on  
February 8, 2005.
- ☐ Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_ but not  
considered.
- ☐ Please consider the arguments in the Appeal Brief or Reply previously filed on \_\_.
- ☐ Other \_\_.
- b. Enclosed are:
- ☐ Amendment/Reply.
- ☐ Affidavit(s)/Declaration(s).
- ☐ Information Disclosure Statement.
- ☐ Form PTO-1449 with copies of \_\_ listed reference(s).
- ☐ Other .

Miscellaneous:

- ☐ Suspension of action of the above-identified application is requested under 37  
C.F.R. § 1.103(c) for a period of \_\_ months.

The filing fee is calculated below:

	Claims as Amended		Previously Paid For		Extra Claims Present		Rate		Fee Totals
RCE Fee 1.17(e):							\$790.00	=	\$790.00
Total Claims:	41	-	83	=	0	x	\$50.00	=	\$0.00
Independents	12	-	29	=	0	x	\$200.00	=	\$0.00

JUN. 20. 2005 4:19PM

FOLEY 8587926773

**RECEIVED**  
**CENTRAL FAX CENTER**

NO. 2959 P. 4

JUN 20 2005

In re application of  
 Desai and Soon-Shiong  
 Application No.: 09/628,387  
 Page 3 of 4

Atty. Dkt. No. ABI1150-18  
 (071243-0218)

First presentation of any Multiple Dependent Claims: +	\$360.00	=	\$0.00
--	----------	---	--------

CLAIMS FEE TOTAL: =	\$790.00	=	\$790.00
---------------------	----------	---	----------

☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the  
 total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$120.00	0	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$450.00		\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$1,020.00		\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,590.00		\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,160.00		\$0.00
EXTENSION FEE SUBTOTAL:			\$0.00
EXTENSION FEE ALREADY PAID: -			\$0.00
EXTENSION FEE TOTAL			\$0.00
CLAIMS AND EXTENSION FEE TOTAL:			\$790.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)		\$0.00
TOTAL FEE:			\$790.00

☒ Please charge Deposit Account No. 50-0872 in the amount of \$790.00. A duplicate copy of this transmittal is enclosed.

☐ A check in the amount of \$790.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise

In re application of  
Desai and Soon-Shiong  
Application No.: 09/628,389  
Page 4 of 4

Atty. Dkt. No. ABI1150-17  
(071243-0217)

Please direct all correspondence to the undersigned attorney or agent at the customer number indicated below.

Respectfully submitted,

Date

June 20, 2005

By

Michael F. Hay

FOLEY & LARDNER LLP  
Customer Number: 30542  
Telephone: (858) 847-6711  
Facsimile: (858) 792-6773

Michael F. Hay  
Registration No. 54,155  
For Stephen E. Reiter  
Registration No. 31,192  
Attorney for Applicant